

MINUTES OF THE MEETING OF BOARD OF PUBLIC WORKS, OCTOBER 5, 1943.

The Board of Public Works met on October 5, 1943, in the office of the Governor, State House, Annapolis, Maryland.

There were present:

Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
Hooper S. Miles, Treasurer.

Mr. Walter N. Kirkman, Director of the Department of Budget and Procurement, also attended the meeting.

The Minutes of the Meeting of September 7th, 1943, copy of which was sent to each member of the Board, were approved.

COMPTROLLER OF THE TREASURY:

## Refunds

The Board considered the following claims for refund of taxes paid in error to the State, upon recommendation of the State Tax Commission, and authorized the payment of them by the State Comptroller from Miscellaneous Appropriation #2, Item #18, and approved payment of refund covering the following claim for franchise tax paid in error from Item #208-C of the budget of the State Tax Commission.

## Premium Taxes:

Marine Insurance Co., Ltd. \$3,076.10  
Marine Insurance Co., Ltd.(interest) 269.66.

## Title Tax:

Herman Perloff 3.02

## Franchise Tax:

Parkville Home Finance Co. 10.24  
\$3,359.02.

CONVENTIONS:

The Board considered a request from Mr. D. Marshall Schroeder, Deputy Commissioner of Motor Vehicles, that he be authorized to attend the 11th Annual Conference of the American Association of Motor Vehicle Administrators, to be held in St. Louis on October 20, 21 and 22nd, 1943.

The Board felt that since the Department of Motor Vehicles would be represented at the Conference by Mr. W. Lee Elgin, the Commissioner, under authority previously given, that it would not be in order for Mr. Schroeder to also represent the department at the convention.

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The Board approved the request of the Commissioners of the State Accident Fund that in addition to the attendance of Mr. John R. Spellissy, Superintendent, at the meeting of the Commissioners of State Accident Funds, at Harrisburg, Pennsylvania, they be permitted to have one of the members of the Commission also in attendance at the meeting.

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The Board considered a request from the State Board of Funeral Directors and Embalmers that permission be granted for representation of that Board by two of its members at the Conference of the Funeral Service Examining Board of the United States, to be held in Chicago, during the week of October 14th.

The Board felt that it was unnecessary for more than one member to attend the Conference and approved the request to that extent, accordingly.

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The Board approved the request of the State Industrial Accident Commission that its safety engineer be authorized to attend the meeting of the National Safety Congress at Chicago, October 5, 6, and 7th, 1943.

COURT COSTS:

The Board approved the payment of the following bills from Item #207 of the budget of the Board of Public Works, upon recommendation of the State Law Department.

Baltimore City Court	\$17.00
(Strouse vs. Tawes)	
Court of Appeals	83.00.
(Tawes vs. Strouse)	<u>\$100.00.</u>

DEPARTMENT OF GEOLOGY, MINES AND WATER RESOURCES:

Mr. Kirkman reported to the Board that he had been advised by Dr. Wolman that Baltimore City has appropriated \$3,500 toward the cost of the underground water survey. This amount represents approximately one-half of the total cost of the work, the State having agreed to stand its share of the cost, amounting to approximately \$6,900, if the City would take care of one-half of the cost. The Board authorized the transfer of \$3,400.00 from the General Emergency Fund to the Department of Geology, Mines & Water Resources.

EASTERN SHORE STATE HOSPITAL:

Upon recommendation of Mr. Kirkman, the Board approved request of the Eastern Shore State Hospital that it be authorized to proceed with certain repairs, costing approximately \$7,800, payable out of funds available in the General Bond Issue of 1939, on the basis of a proposal submitted by Dr. Charles V. Taylor, Superintendent, in a letter dated September 6th, 1943. It was felt that the procedure outlined by Dr. Taylor's letter was the practical way of having the work done at this time.

EMERGENCY BOND ISSUE OF 1935:

RESOLUTION

WHEREAS, under Section 9 of Chapter 91 of the Acts of the General Assembly of Maryland of 1935, provision is made for the levy of State taxes for the year 1944 at four and one-quarter cents (4¼¢) on each One Hundred Dollars (\$100.00) of assessable property, to meet the interest on the outstanding certificates of the Emergency Bond Issue of 1935, and also to meet and redeem so much of the principal as may be redeemable in said year, unless, before January 1st, 1944, the Board of Public Works shall ascertain as a fact that all payments of principal and interest have been met during the current year, and that the reserve fund provided for in Section 8 of said Act is unimpaired; and

WHEREAS, the Comptroller has presented to the Board a statement showing that there was on hand in the State Treasury, June 30, 1943, the Reserve Fund of \$500,000 required by Chapter 91 of the Acts of the General Assembly of Maryland of 1935, after making provision for paying all interest due on the Emergency Bond Issue of 1935 in the calendar year 1943, and the Comptroller further estimates that the receipts in the State's fiscal year beginning July 1, 1943, from Collateral Inheritance Tax and Direct Inheritance Tax will be \$791,120.00, and further advises the Board that the requirements for interest in the calendar year 1944 on the Emergency Bond Issue of 1935 will be \$147,742.50, with maturities of \$418,000.00 on April 15, 1944, and \$224,000.00 on October 15, 1944, indicating a total service requirement of \$789,742.50; and

THEREFORE, BE IT RESOLVED: That the Board of Public Works does hereby find as a fact that all payments of principal and interest upon said certificates have been provided during the current year, and that the Reserve Fund provided for in Section 8 of said Act is unimpaired; and

BE IT FURTHER RESOLVED: That the Governor of Maryland be, and he is hereby authorized and directed to publicly declare by proclamation that the State Taxes provided for in Section 9 of said Act shall not be collected or levied for the year 1944.

GENERAL BOND ISSUE OF 1941:

The Secretary brought to the attention of the Board a communication from Mr. Edgar Allan Poe, of the firm of Bartlett, Poe & Claggett, relative to the services rendered by that firm in connection with the furnishing of a legal opinion in the sale of \$451,000 Bonds of the General Bond Issue of 1941, for which bids were opened September 7, 1943, and delivery of the bonds was made on September 22, 1943.

In view of the additional work it was necessary for Mr. Poe to do in providing the opinion in connection with the sale of this lot of bonds, the Board approved the payment to the firm of Bartlett, Poe & Claggett, for services rendered, of the amount of \$500.00.

MARYLAND LINE CONFEDERATE SOLDIERS' HOME:

The Secretary brought to the attention of the Board a communication from Mr. Charles H. Buck in which the Board was requested to name a price for the sale of the property at Pikesville, Maryland, known as the Maryland Line Confederate Soldiers' Home. The Secretary also presented some information received from Mr. Gerard Mueller, Supervisor of Assessment for the State Tax Commission, relative to the property.

After consideration of the matter, the Board felt that Mr. Buck's clients should be willing to make a definite offer for this property and the Secretary was instructed to communicate this information to Mr. Buck.

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The Secretary brought to the attention of the Board a check in the amount of \$140.00 which the Arsenal and Veterans Memorial Commission had received from the Treasurer of Baltimore County in connection with some expenses which had been incurred in alterations in one of the buildings of the property at Pikesville, to take care of civilian defense work. A bill of the Cogswell Construction Company in the amount of \$140.00 to take care of the work was submitted along with the check.

It was decided that the check should be received into the State Treasury and that the bill for \$140.00 should be paid out of the money so received.

MARYLAND MINUTE MEN:

Mr. Kirkman brought to the attention of the Board a communication received from the Board of County Commissioners of Allegany County relative to the money expended by the county in connection with the Minute Men in service in that county, requesting, if possible, that the County be reimbursed out of any funds the State has available for the expenses of the Minute Men's organizations.

The Board decided that it was not intended that there should be any reimbursement to political units of the State for any moneys expended by them in connection with the work of the Minute Men, and that the amount available from the State should be used entirely for strictly State contributions.

STATE EMPLOYEES:

The Secretary brought to the attention of the Board a communication from Mr. Daniel L. Clayland, 3rd, State Auditor, advising of the illness of Mr. Thomas A. Sweeney, Assistant State Auditor, which has caused him to use up the usual sick leave to which he is entitled, and requesting a three months' extension of sick leave, under authority of Chapter 987 of the Acts of 1943, from October 2, 1943.

The Board approved the request of the State Auditor.

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The Secretary brought to the attention of the Board a communication received from Dr. R. H. Riley, Director of the State Department of Health, advising of the illness of Mr. Fred W. Caspari, Assistant Sanitary Engineer of that department, and the fact that the ordinary sick leave to which Mr. Caspari is entitled will expire October 25, 1943, and requesting an extension of sick leave, under the provisions of Chapter 987 of the Acts of 1943.

The Board approved this request, for a period of three months beginning with the expiration of the sick leave.

STATE DEPARTMENT OF EDUCATION:

State Teachers College-Bowie

Upon recommendation of Mr. Kirkman the Board approved repair work on the showers at the Bowie State Teachers College in the amount of \$766.00.

State Teachers College - Salisbury

Upon recommendation of Mr. Kirkman the Board approved repairs at the State Teachers College of Salisbury in the amount of \$7,000, to be paid for out of appropriation of that amount for such work in the General Bond Issue of 1941.

STATE PROPERTY:

The Board approved the request of the University Hospital that it be authorized to accept the bid of Central Machinery & Equipment Company in the amount of \$2,000 covering equipment formerly used in the operation of the Power Plant in the old University Hospital Building, the service formerly given by that equipment being supplied, now, by the Consolidated Gas, Electric Light & Power Company.

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The Board approved the request of the State Board of Hairdressers and Beauty Culturists, recommended by Mr. Kirkman, that it be authorized to dispose of a Marcel Heater.

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The Board approved the transfer of power plant supplies from the State Penal Farm to the Maryland Tuberculosis Sanatorium, in accordance with a communication to Mr. Kirkman by the Penal Farm dated September 9th, and September 30th, 1943.

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The Board approved the State Roads Commission's request for authority to dispose of property covered by Condemnation Reports #3164, #3165, and #3166.

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Upon recommendation of Mr. Kirkman the Board approved the request of the Maryland State Police for the disposal of a coal cook stove in the Barracks at Belair.

STATE ROADS COMMISSION:

The Secretary brought to the attention of the Board the following deeds submitted by the State Roads Commission for execution by the members of the Board of Public Works conveying:

Certain land in Montgomery County, .09 acres more or less, to Vestry of Christ Church Parish of Kensington;

Certain land in Baltimore County, 7.65 acres more or less, to Benton R. Gatch of Baltimore County, consideration being \$5,722.00, no longer needed by the state roads system.

After reviewing these deeds the members of the Board agreed to their execution and affixed their signatures thereto.

STATE TAX RATE:

RESOLUTION

WHEREAS, the General Assembly of Maryland, by Chapter 709 of the Acts of 1943, authorizes the Board of Public Works, in its discretion, to dedicate all or any part of the surplus of the State in excess of \$2,000,000.00 at June 30, 1944 and June 30, 1945, for the purpose of payment of the interest and principal of the State debt payable during each of the fiscal years ending June 30, 1944 and June 30, 1945, the use of this surplus to operate to reduce the State real estate tax rates for the years 1944 and 1945; and

WHEREAS, the amount of surplus of the State for the year ended June 30, 1943, has been determined, and it is very apparent that the reduction in the State real estate tax rates for the years 1944 and 1945 contemplated in Chapter 709 of the Acts of 1943 through the use of part of the said surplus is in order and very much to be desired.

NOW, THEREFORE, BE IT RESOLVED, that the Comptroller be and he is hereby authorized, to transfer from the surplus of general funds in the State Treasury as of October 1, 1943, to the Annuity Bond Fund Account to supplement the surplus in said Annuity Bond Fund Account, to take the place of taxes which will not accrue to that Account in the fiscal years 1944 and 1945, because of a reduction in State tax rates for those years, the sum of \$475,100.78, for the payment of interest and principal of the State debt, payable during each of the fiscal years ending June 30, 1944, and June 30, 1945, this amount representing a reduction in the tax rate from eighteen and one-half cents (18½¢) to twelve cents (12¢) for the year 1944 and from seventeen cents (17¢) to twelve cents (12¢) for the year 1945, on each \$100.00 of assessable property, prescribed by Chapter 764 of the Acts of 1943; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be furnished the Governor, who under said Chapter 709 of the Acts of 1943, is directed to issue a proclamation setting forth the amount of such reduction in the State tax rate.

The above resolution relative to the reduction of the State tax rate for the years 1944 and 1945 was unanimously adopted.

STATE TREASURER:

The Secretary brought to the attention of the Board a report submitted by Mr. Hooper S. Miles, State Treasurer, covering the sale of tax exempt securities owned by the State Accident Fund and the University of Maryland Fund, as previously authorized by the Board, the report showing that there was a profit over the cost on the sale of:

State Accident Fund	\$103,982.31
University of Maryland Fund	14,489.79.

The Board approved this report.

UNEMPLOYMENT COMPENSATION BOARD:

A statement submitted by the Unemployment Compensation Board for the quarter ended June 30, 1943, was duly considered by the Board and approved. Included was the action of the Unemployment Compensation Board in waiving interest in the amount of \$2,102.40; and adjustments, abatements and uncollectible items of \$2,147.02. The request of the Unemployment Compensation Board for approval of this statement was recommended by Mr. Albert A. Levin, Special Assistant Attorney General for the Unemployment Compensation Board.

UNIVERSITY OF MARYLAND:

The Board considered the Working Budget submitted by the University of Maryland for the fiscal year 1944 and approved same, with the exception that it would not be permitted to carry forward the sum of \$45,729.42 of unexpended and unobligated funds at the close of the fiscal year ended June 30, 1943, since it seemed clear to the Board that this amount should have been reverted to the State Treasury under the Budget Law.

STATE HOSPITALS:

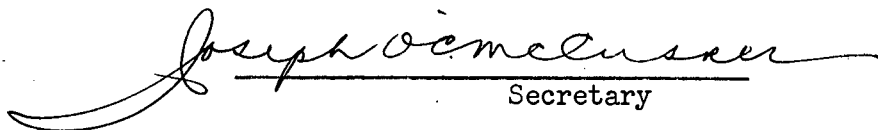
The Board took up for discussion the question of compensation of attendants in the State hospitals because of the loss of so many persons engaged in this work and the impossibility of getting other persons to take their places. This matter was the subject of a meeting held by the Legislative Council in Baltimore on September 29th, 1943, at which Dr. George H. Preston, Commissioner of Mental Hygiene, and the superintendents of the mental institutions, along with Dr. Victor F. Cullen, Superintendent of the Maryland Tuberculosis Sanatorium, appeared and testified to the seriousness of the situation as it affects the institutions. The Standard Salary Board was also represented at that meeting.

As a result of the deliberations of the Legislative Council, after having the facts presented to them, a recommendation agreeable to Dr. Preston, and the superintendents of the hospitals, was made, that attendants be compensated for overtime work on the basis of their receiving additional compensation at the rate of their regular employment, where the total time worked in six (6) days is at least sixty (60) hours for that period; it being understood that such additional compensation is to be limited to an amount equal to twenty-five percent (25%) of the base pay even though circumstances may require the employees to work more than sixty (60) hours in a six (6) days period.

It was felt better to decide upon an arrangement of this sort in order to maintain the base pay, so that it will be possible to adhere to that base pay later when employment conditions improve and it will be possible to employ a sufficient number of attendants to adequately take care of the institutions and make it unnecessary for the regular employees to put in so much time beyond that which should be ordinarily required of them.

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There being no further business, the meeting was adjourned.

  
Secretary